## IN THE UNITED STATES DISTRICT COURT

## FILED

## FOR THE DISTRICT OF MONTANA

**BUTTE DIVISION** 

JUL 20 2012

PATRICK E. DUFFY CLERK BY\_\_\_\_\_\_

Deputy Clerk
U.S. DISTRICT COURT
BILLINGS DIVISION

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GLORIA WELLS,,

Plaintiff,

ORDER ADOPTING FINDINGS

AND RECOMMENDATIONS OF

SHERIFF JIM CASHILL, et al.,

Defendants.

Defendants.

Plaintiff Gloria Wells has again failed to file an amended complaint as required by Magistrate Judge Ostby's Findings and Recommendations. Docs. 7 & 10.

Accordingly, **IT IS HEREBY ORDERED** that Wells's Complaint (doc. 2) is **DISMISSED**. The Clerk of Court is directed to enter a judgment of dismissal and close this case. Finally, the Clerk of Court shall have the docket reflect that the Court certifies pursuant to Rule 24(a)(3)(A) of the Federal Rules of Appellate Procedure that any appeal of this decision would not be taken in good faith. Wells's failure to state a claim upon which relief may be granted is so clear

that no reasonable person could suppose that an appeal would have merit as she has failed to prosecute her case.

Dated this day of July, 2012.

RICHARD F. CEBULL

UNITED STATES DISTRICT JUDGE